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                          UNITED STATES DISTRICT COURT
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                          CENTRAL DISTRICT OF CALIFORNIA
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                                      NO. CV 08-4486-CAS(E)
    ROBERTO R. MORENO,
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              Petitioner,
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                                      ORDER ADOPTING FINDINGS,
         v.
                                      CONCLUSIONS AND RECOMMENDATIONS
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    T. OCHOA, Warden,
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                                      OF UNITED STATES MAGISTRATE JUDGE
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              Respondent.
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         Pursuant to 28 U.S.C. § 636, the Court has reviewed the
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    Petition, all of the records herein and the attached Report and
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    Recommendation of United States Magistrate Judge. The Court approves
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    and adopts the Magistrate Judge's Report and Recommendation.
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         IT IS ORDERED that Judgment be entered dismissing this action
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    without prejudice.
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IT IS FURTHER ORDERED that the Clerk serve copies of this Order, the Magistrate Judge's Report and Recommendation and the Judgment herein by United States mail on Petitioner. LET JUDGMENT BE ENTERED ACCORDINGLY. DATED: November 7, 2008. UNITED STATES DISTRICT